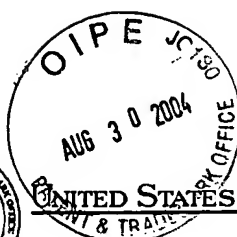


TFW



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/767,464         | 01/28/2004             | William T. Bodenhamer | 1965.025               |

CONFIRMATION NO. 3623

21917  
 MCHALE & SLAVIN, P.A.  
 2855 PGA BLVD  
 PALM BEACH GARDENS, FL 33410

## FORMALITIES LETTER



\*OC000000012956983\*

Date Mailed: 06/16/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 3. 08/30/2004 CCHAU1 00000096 10767464

**SUMMARY OF FEES DUE:**

02 FC:2001  
 03 FC:2051

385.00 OP  
 65.00 OP

Total additional fee(s) required for this application is **\$450** for a Small Entity

- **\$385** Statutory basic filing fee.

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*

*Melanie*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

|   |                      |                                 |
|---|----------------------|---------------------------------|
| <b>TRANSMITTAL<br/>FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 10/767,464                      |
|   | Filing Date          | 01/28/2004                      |
|   | First Named Inventor | William T. Bodenhamer           |
|   | Art Unit             | 1651                            |
|   | Examiner Name        |                                 |
| Total Number of Pages in This Submission  | 16                   | Attorney Docket Number 1965.025 |

**ENCLOSURES (Check all that apply)**

|   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input checked="" type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input checked="" type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication<br>to a Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please<br>Identify below): |
| <b>Remarks</b>  |   |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

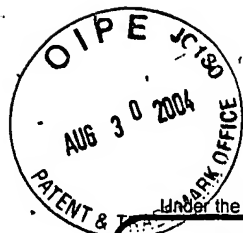
|                          |   |
|--------------------------|---|
| Firm<br>or<br>Individual | Ferris H. Lander<br>McHale & Slavin, P.A. |
| Signature                |   |
| Date                     | 8/27/2004                                 |

**CERTIFICATE OF TRANSMISSION/MAILING**

|  |                      |      |           |
|--|----------------------|------|-----------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 8-27-2004 |                      |      |           |
| Typed or printed   | Debra N. Gerstemeier |      |           |
| Signature  |                      | Date | 8-27-2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/17 (08-03)  
Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 505.00

## Complete if Known

|                      |                       |
|----------------------|-----------------------|
| Application Number   | 10/767,464            |
| Filing Date          | 01/28/2004            |
| First Named Inventor | William T. Bodenhamer |
| Examiner Name        |                       |
| Art Unit             | 1651                  |
| Attorney Docket No.  | 1965.025              |

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

|  |
|--|
|  |
|  |

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity<br>Fee Code | Small Entity<br>Fee Code | Fee Description        | Fee Paid     |
|--------------------------|--------------------------|------------------------|--------------|
| 1001 750                 | 2001 375                 | Utility filing fee     | 385.00       |
| 1002 330                 | 2002 165                 | Design filing fee      |              |
| 1003 520                 | 2003 260                 | Plant filing fee       |              |
| 1004 750                 | 2004 375                 | Reissue filing fee     |              |
| 1005 160                 | 2005 80                  | Provisional filing fee |              |
| SUBTOTAL (1)             |                          |                        | (\$ ) 385.00 |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    |  |              |  |                |  |          |  |
|--------------------|--|--------------|--|----------------|--|----------|--|
| Total Claims       |  | Extra Claims |  | Fee from below |  | Fee Paid |  |
| Independent Claims |  | -20** =      |  | X              |  |          |  |
| Multiple Dependent |  | -3** =       |  | X              |  |          |  |

| Large Entity<br>Fee Code | Small Entity<br>Fee Code | Fee Description  |
|--------------------------|--------------------------|--|
| 1202 18                  | 2202 9                   | Claims in excess of 20                                     |
| 1201 84                  | 2201 42                  | Independent claims in excess of 3                          |
| 1203 280                 | 2203 140                 | Multiple dependent claim, if not paid                      |
| 1204 84                  | 2204 42                  | ** Reissue independent claims over original patent         |
| 1205 18                  | 2205 9                   | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ )

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity<br>Fee Code | Small Entity<br>Fee Code | Fee Description  | Fee Paid |
|--------------------------|--------------------------|--|----------|
| 1051 130                 | 2051 65                  | Surcharge - late filing fee or oath  | 65.00    |
| 1052 50                  | 2052 25                  | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130                 | 1053 130                 | Non-English specification  |          |
| 1812 2,520               | 1812 2,520               | For filing a request for ex parte reexamination                            |          |
| 1804 920*                | 1804 920*                | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*              | 1805 1,840*              | Requesting publication of SIR after Examiner action                        |          |
| 1251 110                 | 2251 55                  | Extension for reply within first month                                     | 55.00    |
| 1252 410                 | 2252 205                 | Extension for reply within second month                                    |          |
| 1253 930                 | 2253 465                 | Extension for reply within third month                                     |          |
| 1254 1,450               | 2254 725                 | Extension for reply within fourth month                                    |          |
| 1255 1,970               | 2255 985                 | Extension for reply within fifth month                                     |          |
| 1401 320                 | 2401 160                 | Notice of Appeal   |          |
| 1402 320                 | 2402 160                 | Filing a brief in support of an appeal                                     |          |
| 1403 280                 | 2403 140                 | Request for oral hearing   |          |
| 1451 1,510               | 1451 1,510               | Petition to institute a public use proceeding                              |          |
| 1452 110                 | 2452 55                  | Petition to revive - unavoidable   |          |
| 1453 1,300               | 2453 650                 | Petition to revive - unintentional   |          |
| 1501 1,300               | 2501 650                 | Utility issue fee (or reissue)   |          |
| 1502 470                 | 2502 235                 | Design issue fee   |          |
| 1503 630                 | 2503 315                 | Plant issue fee  |          |
| 1460 130                 | 1460 130                 | Petitions to the Commissioner  |          |
| 1807 50                  | 1807 50                  | Processing fee under 37 CFR 1.17(q)  |          |
| 1806 180                 | 1806 180                 | Submission of Information Disclosure Stmt                                  |          |
| 8021 40                  | 8021 40                  | Recording each patent assignment per property (times number of properties) |          |
| 1809 750                 | 2809 375                 | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 750                 | 2810 375                 | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 750                 | 2801 375                 | Request for Continued Examination (RCE)                                    |          |
| 1802 900                 | 1802 900                 | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 120.00

## SUBMITTED BY

(Complete if applicable)

|                   |                         |                                   |           |           |                |
|-------------------|-------------------------|-----------------------------------|-----------|-----------|----------------|
| Name (Print/Type) | Ferris H. Lander        | Registration No. (Attorney/Agent) | 43,377    | Telephone | (561) 625-6575 |
| Signature         | <i>Ferris H. Lander</i> | Date                              | 8/27/2004 |           |                |

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT : William T. Bodenhamer

INVENTION: : DISPLACEMENT ASSAY FOR SELECTIVE  
BIOLOGICAL MATERIAL DETECTION

SERIAL NUMBER : 10/767,464

FILING DATE : January 28, 2004

EXAMINER: : (not assigned yet)

GROUP ART UNIT : 1651

ATTORNEY DOCKET NO. : 1965.025

---

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION**

CERTIFICATE UNDER 37 CFR 1.8(a)  
I hereby certify that this correspondence is being  
deposited with the U.S. Postal Service as First Class mail  
in an envelope addressed to Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450 on 8-27-2004

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Notice to File Missing Parts of Nonprovisional Application under 37 CFR §1.53(b), the Notice being dated June 16, 2004.

Submitted herewith are:

- (a) a copy of the Notice to File Missing Parts;
- (b) a Declaration form executed by the inventors;
- (c) (4) sheets of formal drawings;

- (d) a Petition for Extension of Time with the appropriate fee of \$55.00 under 37 CFR §1.17(a)(1); and
- (e) (2) checks totaling \$505.00, which covers the basic filing fee of \$385.00, the surcharge of \$65.00, and the extension of time fee of \$55.00.

Applicants hereby submit replacement drawings in compliance with 37 CFR. §1.84 into the application as submitted herewith. No new matter is added.

Having now complied with all of the outstanding filing requirements, Applicants respectfully request that this application be placed upon the files for examination.

Respectfully Submitted,

Date: 8/27/2004

Ferris H. Lander  
Ferris H. Lander  
Reg. No. 43,377  
McHale & Slavin, P.A.  
2855 PGA Boulevard  
Palm Beach Gardens, FL 33410  
Telephone: (561) 625-6575